

EXHIBIT K5

Plaintiff's Notice of Appeal

NO. 97-05135-J

GRACE ENERGY CORPORATION § IN THE DISTRICT COURT OF
v. §
KANEB PIPE LINE OPERATING §
PARTNERSHIP, L.P.; SUPPORT §
TERMINAL SERVICES, INC.; AND §
SUPPORT TERMINALS OPERATING §
PARTNERSHIP, L.P. § DALLAS COUNTY, TEXAS
191ST JUDICIAL DISTRICT

PLAINTIFF'S NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

1. Plaintiff Grace Energy Corporation ("Plaintiff") gives notice of its desire to appeal, pursuant to Rules 25.1 and 26.1(d) of the Texas Rules of Appellate Procedure, from the Amended Final Judgment signed August 30, 2000, in this cause. Defendants filed a notice of appeal on October 2, 2000.

2. Plaintiff is appealing to the Court of Appeals for the Fifth District of Texas at Dallas.

Respectfully Submitted,

COWLES & THOMPSON, P.C.

By: 

John M. Pease
State Bar Card No. 15698050
Charles T. Frazier, Jr.
State Bar Card No. 07403100

901 Main Street, Suite 4000
Dallas, TX 75202
(214) 672-2000
(214) 672-2020 (Fax)

CRADY, JEWETT & McCULLEY, L.L.P.

Ross Spence

State Bar Card No. 18918400

909 Fannin Street, Suite 1400

Houston, Texas 77010-1006

(713) 739-7007

(713) 739-8403 (Fax)

ATTORNEYS FOR PLAINTIFF

GRACE ENERGY CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent by certified mail, return receipt requested, to the following counsel of record on the 16th day of October, 2000:

Ellen A. Presby
Jonathan Spigel
Mills * Presby and Associates, L.L.P.
5910 N. Central Expressway, Suite 900
Dallas, Texas 75206


Charles T. Frazier, Jr.